

September 27, 2018

Hon. Lorna G. Schofield
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Carrasco Flores et al v. NYC Pasta and Risotto co. LLC et al.*, No. 17 Civ. 06915 (LGS)

Your Honor:

I write in reply to Plaintiffs' opposition to my request for an extension.

I requested such an extension so that I could meet and confer with opposing counsel as directed by the Court's order (Dkt. #70). The Court's order stated: "Plaintiffs shall exchange the proposed damage calculations with Defendant prior to filing in an effort to submit a joint or unopposed calculation." I interpreted that order as meaning counsel should have a meet-and-confer (*i.e.*, make "an effort to submit a joint or unopposed calculation").

Any meet-and-confer tomorrow will not be productive. I only receive Plaintiffs' counsel memorandum yesterday afternoon and need to look at the various statutes, regulations and cases cited in the memorandum.

Plaintiffs' counsel states: "It is Plaintiffs' preference to submit their materials this Friday and Defense Counsel can register objections or concessions in writing by the established October 9th, 2018 [sic] response date or some other reasonable time to respond set by the Court."

I am also equally comfortable with filing my objections on October 8, 2018, per the Court's current order (Dkt. #70). As it turns out, I have only asked for one additional day because I did not correctly state the due date in my initial letter motion.

Finally, I would point out that Plaintiffs' proposal, if accepted, puts the burden on the Court to go through the two documents and resolve any disputes. I wrote today so that both counsels would have time to see if we could eliminate as much of that burden as possible.

It is a bit surprising that opposing counsel doesn't want to take the same steps.

Sincerely,
/s/ Brian Lehman
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cc: Plaintiffs' counsel by ECF/C